IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION No. 4:19-CV-59-D

JOHNNY RAY MARSLENDER,)
Plaintiff,)
v.	ORDER
ANDREW SAUL,)
Commissioner of Social Security,)
Defendant.)

On July 15, 2020, Magistrate Judge Jones issued a Memorandum and Recommendation ("M&R") [D.E. 22] and recommended that the court grant plaintiff's motion for judgment on the pleadings [D.E. 16], deny defendant's motion for judgment on the pleadings [D.E. 18], and remand the action to the Commissioner. Neither party objected to the M&R. Cf. [D.E. 22].

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." <u>Diamond v. Colonial Life & Accident Ins. Co.</u>, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); <u>see</u> 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." <u>Diamond</u>, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R, the record, and the briefs. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 22].

In sum, the court GRANTS plaintiff's motion for judgment on the pleadings [D.E. 16], DENIES defendant's motion for judgment on the pleadings [D.E. 18], and REMANDS the action to the Commissioner.

SO ORDERED. This 5 day of August 2020.

JAMES C. DEVER III

United States District Judge